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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT
DIVISION FIVE

THE PEOPLE,

Plaintiff and Respondent,

A135156

v.

**(Solano County
Super. Ct. No.
VCR213413)**

KINDALE JAMES SMITH,

Defendant and Appellant.

_____ /

Kindale James Smith, also known as Tracy Sabastian Smith, Jr., appeals from a judgment entered after he pleaded no contest to evading a police officer. (Veh. Code, § 2800.2, subd. (a).) His counsel on appeal has filed an opening brief that asks this court to conduct an independent review of the record as is required by *People v. Wende* (1979) 25 Cal.3d 436. Counsel also informed appellant that he had the right to file a supplemental brief on his own behalf. Appellant declined to exercise that right.

On December 18, 2011, a car was stolen in Stockton. The following day, Sacramento police officers saw appellant driving the stolen car. They gave chase as appellant fled on the highway weaving in and out of traffic at speeds of up to 100 miles per hour. Ultimately, the officers discontinued the chase because it had become too dangerous.

Later that day, appellant and the stolen car were found in a parking lot in Solano County.

Based on these facts, a complaint was filed charging appellant with several offenses including the one we have set forth above. The case was resolved through negotiation. Appellant pleaded no contest to evading a police officer. (Veh. Code, § 2800.2, subd. (a).) In exchange, other counts were dismissed and appellant would be sentenced to no more than 210 days in county jail.

Subsequently, the court suspended the imposition of sentence and placed appellant on probation subject to the condition that he serve 210 days in county jail.

We have reviewed the record on appeal and conclude there are no meritorious issues to be argued. Before accepting appellant's plea, the court made sure appellant understood the consequences of his plea and the Constitutional rights he was waiving. The sentence was consistent with the plea agreement. Appellant was effectively represented by counsel.

We conclude there are no arguable issues within the meaning of *People v. Wende*, *supra*, 25 Cal.3d 436. (See also *People v. Kelly* (2006) 40 Cal.4th 106.)

The judgment is affirmed.

Jones, P.J.

We concur:

Simons, J.

Bruiniers, J.